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TEAMSTER **CONVOY** **DISPATCH**

44



VOICE OF THE TEAMSTER RANK AND FILE SINCE 1975

March 1996 #148

Forward or Backward?



Forward together

Our Vision

- ◆ A strategic organizing plan, with volunteer organizing committees in all locals to build a strong and democratic Teamsters union
- ◆ Establish pattern bargaining and work toward national contracts in our Teamster-organized divisions, industries and major companies
- ◆ Establish and enforce a Code of Ethics for Teamster officers, including banning severance funds and multiple pension plans
- ◆ Root out pockets of corruption, educate our members, and develop a new generation of Teamster leaders from the bottom up
- ◆ Build solidarity with other unions, outreach to the community, and links with unions in other countries to deal with multi-national corporations

The delegate elections, the Teamster Convention in July, and the International officers election this fall will chart the course for our union. All Teamsters should inform themselves, discuss the issues, and take part in shaping our common future.



Back to the Old Guard

Their Vision

- ◆ Strip the International's power to investigate corrupt officials or put corrupt locals into trusteeship
- ◆ Restore the multiple pensions for officials (Affiliates Plan) at a cost of \$15 million per year
- ◆ Use our union DRIVE money to pay off politicians to block prosecution of corrupt Teamster officials
- ◆ Isolate each local union as an island to be run as a family business and attack our International and other unions as "outsiders"
- ◆ Cut off funding and shut down the innovative programs in organizing, strategic campaigns and education that the International has begun

The choice is yours: the past or the future

UNION SOLIDARITY

Laborers Union Gets Right to Vote

The 350,000-member Laborers International Union of North America (LIUNA) and the U.S. Justice Department recently announced that the union would hold direct elections for its president and secretary-treasurer, along with other structural and policy reforms. The changes come as part of a three-year plan to rid the Laborers of a long legacy of Mob domination and corruption.

The union entered into an agreement with the Justice Dept. in 1995 after a racketeering suit was filed. A signed Consent Degree may be invoked by the government if the union

fails to make good on its promises of reform. The union established officials authorized to investigate and prosecute union officials tied to organized crime or engaging in corrupt activities. The union leadership has taken some steps to clean house.

So members will now get a chance to vote in a supervised election for union president. But observers feel that the lack of a nationally organized movement, such as TDU, will make the situation more problematic than in the Teamsters, where TDU had been preparing for years for such an opportunity.

The union was listed in the 1985 President's Commission on Organized Crime as being one of the four international unions "most frequently associated with organized crime" (the others being the Teamsters, Hotel Employees and east coast Longshoremen unions). The union was also characterized by a history of intimidation, including the beating of a dissident candidate on the floor of the 1981 International convention. An African-American vice-president who considered running for president was presented a dead fish and a note that stated that "Italians started the Laborers and Italians will always run the Laborers."

The package of reforms adopted by the union include a direct election of the top two International officers, restructuring of the General Executive Board from 10 at-large members to four at-large and nine elected by geographical region. Also, all members will vote on a referendum question to determine if the entire Board should be elected directly by the members.

Members' rights will be protected in the upcoming elections by an independent Election Officer and two deputy officers. One of the deputy officers is Chicago attorney Thomas Geoghegan. Geoghegan is well known as a vigorous defender of rank and file democracy, who represented TDU in shaping the Right to Vote portion of the Teamster settlement.

Back in 1987, TDU proposed the Right to Vote as the best way to clean out Mob influence at the top of our union. Observers were skeptical that union democracy was an effective detergent to wash out corrupt elements. Five years later, the reform Carey administration has a proven track record of achievement on these issues, and rank and file Teamsters have shown they care deeply about ridding labor of corruption. This success paved the way for the Laborers settlement.

Who We Are

CONVOY DISPATCH is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers—every kind of Teamster, and spouses, too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 15-member International Steering Committee was elected in October 1995 for one year. Our Rank & File Convention had nearly 600 representatives present.

We are proud Teamsters standing up for our rights. TDU invites all Teamsters interested in defending our contracts and reforming our union to join us. We do reserve the right to exclude those who are opposed to TDU and its principles.

Rank & File Bill of Rights

I. DEMOCRATIC BY-LAWS. All business agents and stewards should be elected. Vacancies in office should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining company seniority.

II. DIRECT ELECTION OF OFFICERS. General President and all International officers should be elected by the membership. International VPs elected by regions. An end to trusteeships and split-off locals.

III. A FAIR GRIEVANCE PROCEDURE. Innocent until proven guilty, right to remain on the job until final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

IV. PRESERVATION OF WORKING CONDITIONS. The union's purpose is to expand and preserve what we have, not trade it away for anything less. People come first, not productivity.

V. SAFETY AND HEALTH. We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right, backed up by our union, to refuse unsafe work or hazardous conditions. We are not machinery.

VI. EIGHT-HOUR DAY AND FIVE-DAY WEEK. Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four-day work week. We work to live, not live to work!

VII. A DECENT PENSION. Every dollar in the pension funds belongs to us. We are entitled to 25-and-out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money.

VIII. JUST SALARIES FOR OFFICERS. A union officer can't understand the problems of members who make less than half what he makes. No officer should make more than the highest paid working members in his jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for membership, and subject to membership approval.

IX. EQUALITY AMONG TEAMSTERS. Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

X. END TO DISCRIMINATION. Employers have used the differences in age, race and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.

The Lean Workplace: A Union Response

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How to Contact TDU

We want to hear from you. Contact us at the address below for more information about TDU, or to send us articles or letters concerning Teamster-related issues.

National Office: P.O. Box 10128,
Detroit, Mich., 48210. (313) 842-2600.

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Michael Savvoir, Kansas City, Mo., Local 41

Organizer:

Ken Paff, Detroit

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Patricia Franks, Allentown, Pa., Local 773
Gillian Furst, Minneapolis Local 1145
James Jacob, Providence, R.I., Local 251
Homer Lambert, Chicago Local 743
Patrick McBride, Tacoma, Wa., Local 599
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Alternates:

Bob Blanchet, San Jose, Calif., Local 287
Alex Adams, Cleveland Local 407
Willie Smith, Columbus, Ohio Local 413

FREIGHT NEWS

Arbitrator Sets 40-and-Out Rules

Arbitrator William Hobgood finally ruled on the "40-and-Out" provision in the NMFA on Feb. 5. The ruling is considered a compromise between the union and employer positions.

As part of his decision, Hobgood created guidelines for combination terminals and for breakbulks. These guidelines contain restrictions that the employers will have to live by, and that need to be enforced by members and local unions.

Here is a brief run-down of the guidelines. The International has provided all local unions with a copy of the decision and with explanatory materials on how to apply and enforce the restrictions on 40-and-out.

Combination Terminals

At combination terminals, the decision both limits the number of casuals used, and provides that regular employees get a share of the premium work. First, there is an overall usage cap on any premium day of 25 percent of the number of seniority employees who have been offered or worked 40 hours during the regular work week. Second, on any premium day, the first work opportunity goes to the senior regular employee (at time and a half), then the next two to casuals, then to the next senior regular (at time and a half), then the next two casuals, etc. The employers had argued for unlimited numbers of casuals.

Break Bulk Terminals

The decision limits the use of 40-

and-out at breakbulks to the number of regulars who would otherwise have been eligible for premium work. So at a terminal with 100 dock bids, if 70 regulars worked on a given day, and the other 30 have got their 40 hours, then the limit on casuals would be 30 for that day.

General Considerations

These limitations went into effect on Feb. 12. The employers are liable for back pay before that date only in cases where the employer used casuals under 40-and-out without first satisfying the weekly and/or daily guarantee of regular employees.

The arbitrator did not address whether this decision supercedes any provisions in supplements which employers claim apply instead of Article 5, Section 6, in other words, where this 40-and-out language is an improvement over the existing supplemental language, such as in the South and in Central Pennsylvania. The International has instructed all locals to file grievances in cases where the employers attempt to apply supplemental language, rather than the 40-and-out in the master language.

This is a very brief summary which should not be relied on for enforcement. Stewards and concerned members should get the full copies of union materials to enforce the agreement. Your local should provide them. Copies are also available from TDU. Free to TDU members, others please include a donation.

Grievant's Bill of Rights

The National Master Freight Agreement, for the first time, contains a Grievant's Bill of Rights. It's a good clause, contained in Article 7, Section 2, but a contract is only as good as it is used and enforced.

Ohio Panel and Accidents

Paragraph three of the Bill of Rights states: "The Employer shall provide any information relevant to a grievance within 15 days of receipt of a written request by the Local Union, steward, or grievant."

Notice that the language clearly states that either the union, the steward, or grievant can make the request.

This is good language and should be utilized. Like other parts of the Bill of Rights, we find that more education is needed.

An additional problem was recently pointed out by road drivers at Yellow Freight in Columbus, Ohio. Reportedly the company refused to comply with this provision in a case involving an accident that they wanted to call chargeable. Because it led "only" to a warn-

ing letter, they said they did not have to comply. And some Ohio Teamster officials seem to agree.

The language does not exempt warning letters. We need an interpretation that clears this up.

The Deadlock (Golf Course) Committee in the West

The Bill of Rights should also force more reform of some old guard practices in the grievance procedure. In the West, when a grievance deadlocks at the Joint Western Area Committee, it is passed to a so-called "deadlock committee" that consists of two people, one for the employers and one for the union.

This committee then meets and settles grievances, without any hearing, without any grievant or steward present. This violates paragraphs one and two of the Bill of Rights, and thus should be abolished.

It's time that business agents, stewards, and members started to make better use of this tool, to better prepare grievances and to root out old guard practices.

Freight Lines

Preston Teamsters Vote Wage Freeze.

Preston Teamsters voted in February by an 88 percent margin in favor of an Article 6, Section 2, profit-sharing deal that will freeze wages for the life of the NMFA. This will forego the April 1 wage hike and the wage hike next year. The 3,500 Teamsters at Preston have been under an Article 6 deal for several years, but it has been phasing out. The regional carrier operating in the East and Midwest is a subsidiary of Yellow Freight.

New Jersey ABF Teamsters for Hoffa.

A number of ABF Teamsters in New Jersey have filed a lawsuit over the controversial dovetailing of seniority when Carolina Freight's operations were folded into ABF's. The New Jersey group favored end-tailing the Carolina Teamsters, as did many Eastern ABF Teamsters from New England to New Jersey.

The suit has no chance of winning in court, but the ABF workers' concerns are being exploited by the Junior Hoffa campaign. A "newsletter" is circulating which attacks Ron Carey and Judge Frederick Lacey (who they call "one eyed"), but avoids saying an unkind word about management. In fact, ABF president David Stubblefield is quoted in business publications in support of the attack on Carey.

The American Trucking Associations' newspaper, *Transport Topics*, which is cheering the group on, reports that the suit is organized by former International VP Gene Giacumbo, who was suspended from office for embezzling union funds. Their attorney, Bruce Maffeo, also represents Giacumbo in his embezzlement case.

Hoffa himself has refused to take any stand on the difficult issue, preferring to ride the fence and let Giacumbo and management be out front.

Central Region: Say No to 'Window Dispatch.'

Most road drivers in the Central region get their destination when they are called for dispatch, and the company is locked into that run. Article 43 of the Central supplement provides that if a run is shortened, the driver gets paid the difference. Now Yellow is trying to violate this provision, drivers in Cleveland and Columbus report.

It should be grieved and won. Yellow had 180 days after the contract signing to try to bargain over practices; after that, established practices are locked in. Freight Director Dennis Skelton has told drivers to grieve it, as has Mark Serafinn, the union chair for the road grievance panel, Central region. Yellow should have to live by the contract they signed.

Overnite Update.

Two more Overnite terminals voted for the Teamsters on Feb. 1. Bowling Green, Ky., and Bayshore, N.Y., joined the Teamster family, a gain of about 65 new Teamsters.

Overnite CEO Jim Douglas was forced onto the witness stand in mid-February as the national NLRB trial against Overnite began in Minneapolis. Douglas admitted he refused to provide thousands of pages of documents the NLRB demanded. Douglas was involved directly in the massive campaign to violate labor law to try to stop the Teamster drive. The trial is expected to be long.

Meanwhile, Overnite's anti-union barrage continues. They are now trying to decertify the Teamsters at some of the first terminals that went union a year ago. Instead of throwing millions more away in law breaking and union busting, wouldn't they be better off trying to negotiate with our union?

Fed Ex to Go for LTL Freight.

Federal Express has announced it will get into the LTL ground freight business, going for shipments up to 3000 pounds, with zone-based pricing. It will not be a large move to begin with, but could grow. News reports indicated Fed Ex may even look to acquire Overnite or M.S. Carriers.

Big 3 Post Losses for '95.

Yellow Freight lost \$30.1 million in 1995. Roadway Express lost \$12.7 million. CF Motor Freight lost \$34.4 million. There is speculation that if losses continue, TMI may request to reopen the NMFA later this year.

Junior Hoffa is already calling for reopening the contract. He claims this is to improve it, but any reopener works both ways. The carriers would be in no mood for anything but give-backs, so the stage would be set for a strike showdown. Hoffa opposed the 1994 strike. His PR man openly predicted that Teamster members would cross the picket lines, and his running mate Billy Hogan Jr. called for accepting \$9 per hour part-timers to avoid a strike.

UNITED PARCEL SERVICE

Teamster Drivers Fighting UPS Over Dishonest Lunch Practices

Convoy Dispatch has written many articles over the years about the uncompensated package car driver "lunch break." In July-August 1986, we ran an article entitled "Working Off The Clock Adds Up: Drivers Give UPS \$42 Million," which discussed off-the-clock work during the lunch break, before the morning meeting and while finishing paperwork.

In October-November 1993, we reported "Victory in Washington State: UPS to Pay Package Car Drivers \$12 Million," which described a state court class-action settlement. In 1994 and 1995, we covered an Illinois driver off-the-clock class action suit.

The lunch break issue is about more than a few hours of weekly off-the-clock work per driver. It is about UPS stealing time from drivers. It is evidence of the UPS double standard which insists on scrupulous integrity and accuracy from drivers, except when a little lapse might accrue to the benefit of the corporate bottom line.

We thought it worthwhile to describe the efforts that have taken place to date and offer some ideas about future challenges on the off-the-clock work issue.

Washington: Judy Personette Gets It Going

Judy Personette was an experienced UPS clerk before she got into driving in the late 1980s in Burlington, Wash. Burlington was expanding with a new shopping mall and new traffic problems. Judy got a route with the new mall, new traffic and an old time study that had allowances based on a small town that no longer existed.

Judy was running, skipping breaks and lunch and still not making standard. Management was on her back, trying to get her to produce the numbers, no matter what. They called her a slug.

Judy reached the breaking point and quit. She sought and won unemployment compensation because she convinced a hearing examiner that being required to work off-the-clock was illegal and therefore "good cause" to

quit her job. She then got some lawyers interested in taking on UPS. With the help of Judy, TDU members and other Teamsters, the lawyers put together a class action lawsuit.

The lawsuit was filed under Washington's overtime statute. The theory is that package car driver off-the-clock work is off-the-clock overtime, and the overtime statute mandates that all hours over 40 per week be paid at time-and-a-half. DOT-regulated drivers, including UPS package car drivers, are exempt from the overtime protections of the federal Fair Labor Standards Act. That is why the lawsuits have been brought state by state and not as a nationwide effort.

At first UPS told the court that "honesty" plays an unusually important role at UPS, and UPS relied on drivers to "honestly" report their lunch breaks. UPS said it believed all those time cards which reported a one-hour lunch, the "12:00 to 13:00 lunch."

UPS's early efforts to get the case thrown out of court failed. The plaintiff drivers—who grew to a group of 10—patiently went through thousands of company documents, finding among them documents that disproved UPS's claim that it honestly believed the time card records were accurate. Time studies showed drivers working through lunch all across the state on the day that they were time studied—with the knowledge of the managers who made up that year's Time Study Observer Team. The evidence was clear—drivers were permitted and coerced to work through all or much of their lunch breaks. At a March 1993 hearing, a state court judge concluded:

(UPS has) systematically, routinely, knowingly and on frequent occasions directed, expressly or impliedly, that its delivery employees work personal time, primarily lunch hours, without compensation ...

The (UPS) system, in my opinion, does not reasonably provide for or accommodate accounting for personal time worked and the recording of it. Both sides admit such unrecorded work is

brown."

But after five months Durant says he got a letter from UPS that came as "just a shock." It said UPS had made a mistake in figuring his benefits, and it was cutting his pension by \$321 a month, or more than \$3,850 a year, for the rest of his life. He was also informed that he owed the company \$1,606 for the overpayments. UPS attributed the mistakes to erroneous computer entries. How many other former managers will similarly be effected is yet to be determined. Several have banded together to seek class certification to represent any of the affected 4,500 employees who opted for early retirement.

being done by workers with some frequency. The evidence from the UPS people themselves in the record would infer strongly that it is a system characteristic.

UPS decided to try to settle the class action. It paid Washington drivers \$12,000,000, which came to almost \$10,000 for each long-term driver.

UPS was also required to use the morning meeting to try to convince drivers that it really wanted them to use their full lunch break—a very unusual thing for drivers to hear and believe given past experience with UPS. In 1996, Washington drivers are told that their DIAD boards must show a one-hour period of no activity. Drivers are told UPS is spot checking the boards. Drivers who falsely record a one-hour lunch are subject to discipline. Drivers still work off the clock, but it may not be as widespread as it once was. The Washington landscape has been altered as a result of "Slug" Personette's decision to take on UPS.

Illinois: Old Guard and Old Politics

In February 1994 16 package car drivers filed a statewide class action suit under Illinois's overtime statute. Most of the drivers came from Galesburg, a small Illinois farm town.

UPS tried unsuccessfully to get the suit thrown out, arguing that filing a grievance was the exclusive procedure available to package car drivers. The Galesburg drivers and other downstate UPSers were members of Local 710, a classic old guard operation that was openly hostile to member efforts to take on UPS.

While the plaintiffs were winning in court, the old guard Teamsters got the drivers' butts kicked in the Illinois

State Legislature. In August 1994, the old guard supported trucking industry-sponsored legislation which destroyed minimum wage and overtime protection for all Illinois truck drivers. The best spin for the old guard is that they wanted to protest mile/load formulas for over-the-road drivers and didn't realize the legislation they agreed to deprived Illinois drivers of minimum wage and overtime protection. The legislation was not retroactive, leaving the Illinois drivers with damage claims from February 1991 until August 1994.

Then came the election of 1994 which gave the Republicans control of the Illinois house, senate and the governor. UPS came up with an idea—try to make the August 1994 driver exemption retroactive. In spring of 1995 this proved too much for the legislature to stomach; UPS's effort was unsuccessful. Well, UPS would not be caught unprepared again. They hired a powerful law firm to lobby for a special retroactive truck driver overtime exemption.

On Feb. 26 the court ruled that the 4,000 Illinois drivers could proceed on a class action suit. Meanwhile, UPS is pushing its special retroactive exemption legislation proposal. Fortunately, a revived Chicago Local 705 and the AFL-CIO are organized in opposition to the retroactive legislation.

UPS argues in court that drivers who work through lunch make it back in bonus. The weakness in this theory is that drivers often skip lunch and get little or no bonus. With this as a defense, UPS will continue to throw its money and weight into lobbying for special retroactive legislation.

continued on page 5

Management Retirees Sue UPS

Last summer, as a prelude to Team Concept (you doing more of management's job), UPS trimmed its management payroll by 4,500 positions chiefly by offering buyouts and early retirement options. However, in some cases the early retirement package is not all it was cracked up to be.

Bruce Durant, a former Center Manager making \$80,000 a year, was given a signed statement showing that his monthly pension would be \$2,623 in return for exercising his early retirement option.

A once-loyal UPS employee, Durant said, "You could have slit my wrists with a knife and I would have bled

UPS & Downs

UPS Stock Goes Up.

The Board of Directors held its first meeting for 1996 on Feb. 14 and 15 in Atlanta. After reviewing the factors that affect the price of UPS stock, the board determined that \$27 a share would be the new value, an increase of 75 cents a share. The new stock price was effective Feb. 15.

For the fourth quarter ending Dec. 31 UPS revenue increased 5.8 percent over the corresponding period of 1994, and net income increased 15.2 percent.

All current directors were nominated by themselves for re-election in May.

Perrucci Suspended 24 Months.

Mario Perrucci, the International vice president elected in 1991 who has led the IBT Small Package Division until recently, was suspended from office for 24 months by the General Executive Board. Perrucci paid \$100 for a used boat to the owner of a small company. The owner wanted to get rid of the boat, which had belonged to his recently deceased father.

The Independent Review Board (IRB) brought charges against Perrucci over the incident, because a union officer is not permitted to accept anything of value from any employer. Perrucci maintains that the boat was virtually without value.

Ken Hall is serving as the Director of the Small Package Division.

GROCERY, CARHAUL NEWS

Interview with Tom Leedham

Building a Strong Warehouse Division

Tom Leedham is Director of the International's Warehouse Division, covering some 400,000 members who work in warehouses, food distribution, and canning and food processing plants.

He is a candidate for Western Regional Vice President on the Ron Carey slate. Leedham is working to build clout in the warehouse division and believes that mission begins and ends with rank and file involvement. *Convoy Dispatch* caught up with Leedham to discuss his outlook for the future of our union.

Convoy Dispatch (CD): Tell us a little about your plans to build a stronger Teamsters union in warehousing.

Tom Leedham (TL): We have to set some goals. We are dealing with multinational corporations that aren't just looking at local or regional situations. They are taking us on nationally, and in a lot of cases, internationally.

For so long these warehouse contracts have been bargained on a local level without looking at the big picture. In the last 10 years, employers have been taking us on, as they know that we are relatively isolated. Most of these contracts are stand-alone agreements. We have not had a national strategy and they have.

Working together makes us all more powerful. Local unions that are isolated cannot deal with multinational corporations.

CD: One specific thing that you've done is the Kroger national master contract, the first new national contract in our union in years. How has it

worked out?

TL: I think it has worked out very well. We've not gotten everything that we wanted, but as the locals have bargained their supplements they have gotten larger increases than they have seen in 10 years. We have been able to do this without a strike. The big advantages will come in the future.

CD: Members in warehouses are concerned with tougher and tougher production standards. You've done some work in this area. How's the progress?

TL: We have hired an industrial engineer, and part of his duty is to train members on what the standards are, what they are based on and how they can audit them in the shop to help deal with problems. It's one thing to have an expert come into town and make a judgement of whether or not the standards are reasonable, but when the experts leave town, our members are left at the mercy of the employers. So what we have tried to do is train them to be at least on an equal par with their supervisors, the people they deal with, so they can monitor them themselves.

In a couple of months we will be coming out with a manual that is designed specifically for rank and filers. It's a guide to be used on the job, to use as a way to understand the system, and as a tool to help people deal with the standards.

CD: What about food processing, what are you doing there?

TL: We are communicating more with our members. We have a special food processing newsletter, we have a warehouse newsletter. We have worked to convert materials from the IBT into Spanish, because a big portion of food processing workers in the

West are Spanish speaking.

We have spearheaded efforts to organize in the food processing industry. The Toma-Tek organizing drive in California was one initiated by the division, with the help and assistance of the organizing department and locals.

We need a national strategy, we have to work toward patterns in bargaining. We need to take labor out of the competitive equation. That's a hard project for a division with a small staff.

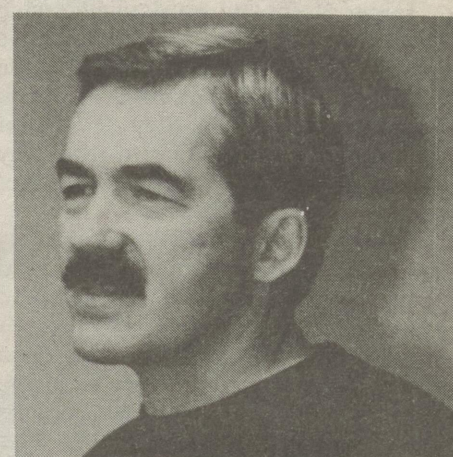
CD: Your direction is to coordinate the union's strength to deal with corporate power. Many old guard officials resist this, and holler "local autonomy." Why?

TL: I think they are afraid they'll lose an element of control. They fear that they will have to share control of their affairs, and they resist that. It makes them feel insecure. When you are bargaining one contract in your local area, you control what happens.

Working together makes us all more powerful. Local unions that are isolated cannot deal with multinational corporations.

We need a strong International union. We need to coordinate our efforts. We need to have a strategy that results in master agreements, industry standards, and so forth. Without it, companies will be able to whipsaw us back and forth, one local against another. Local union officers will have to negotiate contracts in isolation.

Everything we do has to have a rank and file component. Our staff is always



IBT Warehouse Director Tom Leedham.

in the field, where the work is. The question we ask before we do anything is "what impact is this going to have on the members of the warehouse division?"

The only effective organizing I'm seeing involves rank and file members at every aspect. Successful collective bargaining—and that includes being able to wage a successful strike in the mid-90s—we've done that in the warehouse division. We have won strikes, even in the absence of strike benefits. You don't do that without a strong, solid, knowledgeable rank and file that knows what they are fighting for. When they know what they are fighting for and that there is a strategy, Teamster members are willing to stand up and be counted.

Ron Carey understands that, and has a team that understands that.

Ryder Boasts Record Earnings Despite Strike

Earnings before accounting changes of Ryder System Inc. in 1995 exceeded 1994, reported President and CEO M. Anthony Burns. "Our company performed well in 1995, despite the impact of a softening economy which negatively impacted vehicle utilization, a 32-day strike by the International Brotherhood of Teamsters and costs related to reorganization and the implementation of reengineering initiatives." Burns went on to report that the performance of Ryder Dedicated Logistics (RDL), the company's most rapidly growing division, had revenue growth of more than 30 percent.

For the full year of 1995, Ryder's revenue rose to \$5.17 billion, compared with revenue of \$4.69 billion in 1994. Earnings before the accounting change were \$155.4 million, or \$1.96 per share, compared with 1994 net earnings of \$153.5 million, or \$1.95 per share. Net earnings in 1995 were reduced by \$7.8 million, or \$.10 per share, due to a first quarter change in accounting for charitable contributions.

Fourth quarter revenues for 1995 totaled \$1.35 billion, compared to

revenue of \$1.24 billion in the fourth quarter of 1994, with net earnings rising to \$56.4 million, or \$.71 per share, compared to 1994 net earnings of \$38 million, or \$.48 per share.

Carhaul News

Ryder's Automotive Carrier Division saw a reduction in revenue and earnings in 1995. Burns blames this primarily on the selective strike against Ryder. The strike saw nearly 5,000 Teamster carhaulers walk off the job at Ryder owned Commercial Carriers, F.J. Boutel, and Transport Support on Sept. 7, 1995. The selected strike, touted the "Smart Strategy" by Ron Carey, targeted Ryder Systems, which controls approximately a third of all carhaul business in the country, and took aim on General Motors at the same time. GM accounts for nearly 60 percent of Ryder's business. The two corporate giants teamed up to push for concessions during negotiations and their bullying tactics cost Ryder nearly \$1 million each day and stopped deliveries of 500,000 new cars to dealerships across the country.

Fighting UPS Lunch Practices

continued from page 4

New Mexico

In November 1995, two former drivers, Clayton Self and Mark Reid, sent UPS a class action summons and complaint. UPS claimed to the court that this is a case about having one's cake and eating it too, the theory being that already having been well paid these drivers are going back for seconds. The suit is in its early stages.

West Virginia

In 1995, a group of West Virginia package car drivers filed a class action against UPS under the federal Fair Labor Standards Act and West Virginia's overtime statute. This suit was quickly thrown out by the court, because package car drivers are exempt from the overtime standards of the Fair Labor Standards Act and from the West Virginia overtime statute. The court also would not allow the drivers to sue for breach of the collective bargaining agreement, because that claim must be brought through the

grievance procedure. The message here is that court suits can succeed only where there is a state or local overtime statute without an exemption for DOT-regulated drivers.

What Can Be Done?

There are still some states out there whose overtime statutes protect DOT-regulated truck drivers. Suits in those states could be successful. Among them are New Jersey, Maine, Alaska, Hawaii, and probably some other jurisdictions. Interested Teamsters should contact TDU.

UPS needs to implement a system that accurately records actual lunch time used. The system should not allow off-the-clock time sorting and should not allow drivers to avoid it by pre-sheeting delivery stops or similar device. If the lunch problem was drivers stealing time, then UPS would have implemented such a system many years ago.

Meanwhile, package car driver off-the-clock work continues, and *Convoy Dispatch* will continue to cover it.

INSIDE OUR UNION

Hoffa Running Mate Calls for End of Right to Vote

Junior Hoffa and his slate are trying to convince Teamsters that they have had a change of heart, and they are born-again supporters of the Right to Vote. Never mind that they all voted at the 1991 IBT Convention to *take away* your right to vote for delegates. Forget that, they are new guys.

But Richard Volpe of New York City has spilled the beans about their real goals. And Volpe was foolish enough to put it on paper.

Just months ago Volpe mailed a statement and questionnaire to all locals, in which he indicated his support for a Special Convention to rewrite the Teamster constitution and choose new IBT officers on the spot, abolishing the rank and file vote. To defend this move, he said officials should go all the way to the U.S. Supreme Court.

He went on to brag (in writing) that

87 percent of the officials he surveyed (and keep in mind, primarily the old guard would be in touch with Volpe) agree with him that the Right to Vote should be taken away.

Officers' Pension Plan

He also wants to "immediately restore" the Affiliates Pension plan, a multiple pension plan for officers which would cost some \$15 million a year. He claims 92 percent of his old guard pals agree with that one.

So Volpe wants to end your Right to Vote and immediately restore a multiple pension plan, at a cost of \$15 million a year from your dues, to benefit himself.

No doubt the Juniors will give him a new script. If you want a copy of his real goals, write to TDU. Free to members, others please send donation.

More Family Business on Hoffa Slate

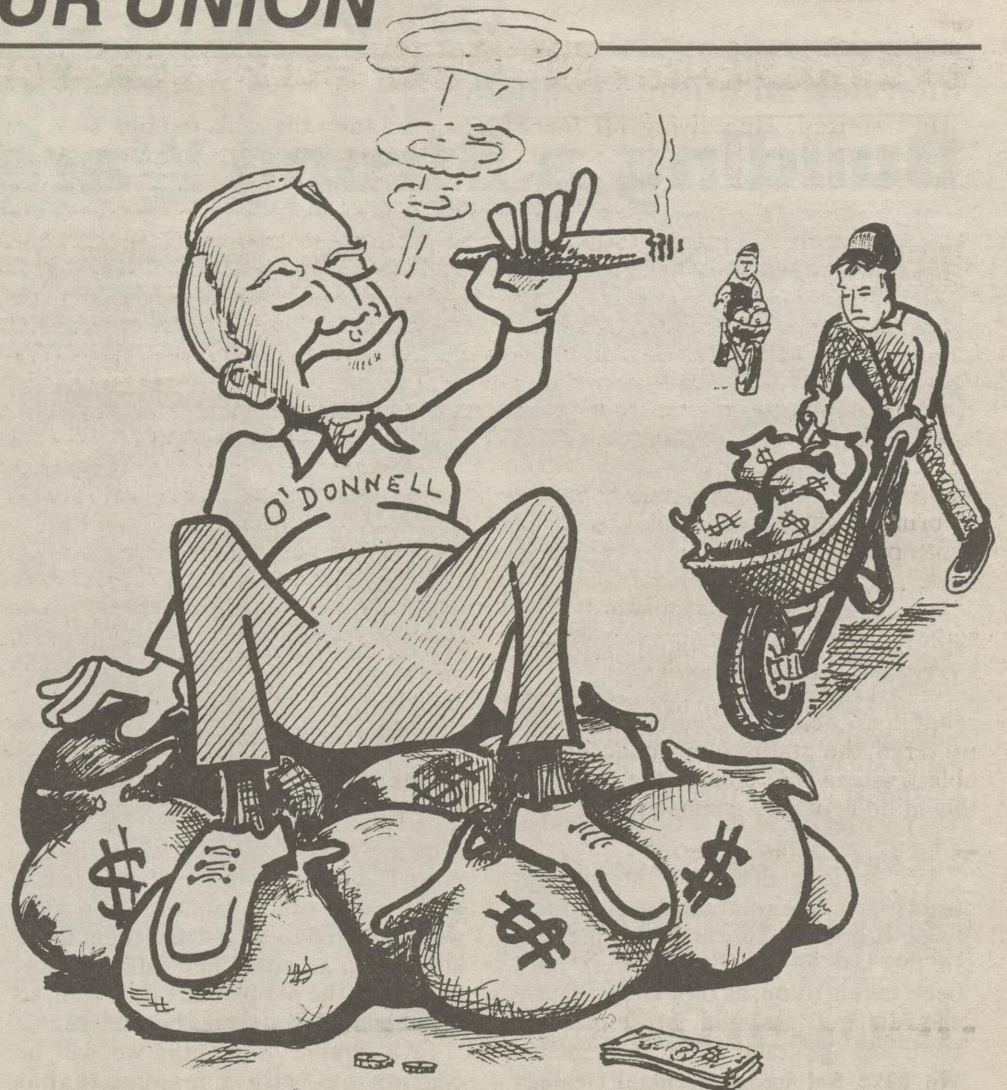
Richard Volpe, secretary-treasurer of New York Local 550, knows a good family business when he sees one. He and his pal Tom O'Donnell (that Lucky Teamster) have joined the Junior Slate.

If you see the movie "Dead Man Walking," we suggest you stay until the end of the credits. You will see that three (3) members of the Volpe family got jobs on it. These are lucrative jobs,

too. Now, you ask, who is in charge of the movie local union in New York? Tom O'Donnell, that's who.

Every time you think you know all the family tricks these guys use to enrich themselves off our union, they always surprise you with more.

Just think what the Volpe and O'Donnell families could do if they get on the General Executive Board!



Highest Paid per Member in the World?!

O'Donnell Family on Hoffa Slate

Thomas O'Donnell and his son (Tom Jr.) are indeed Lucky Teamsters. They bagged \$257,806 from the dues paying members of one New York Teamster local in 1994.

But consider this. There are only 252 members of Local 817. To cover that \$257,806, that is \$1,023 from each member, per year, straight into the O'Donnell family bank account. That's

over \$85 per month. Now those are some *unlucky* Teamsters!

O'Donnell has joined Junior Hoffa, Junior Hogan, *et al*, on the Junior Slate. This means that the highest paid Teamster official, Frank Wsol (total compensation of \$399,418 in 1994), and the highest paid per member (O'Donnell) are both now on the Junior Hoffa slate.

Union Roundup

Joint Council 1 Grows.

Ohio JC 1 now has 11 local unions and 23,000 members, thanks to the addition of Akron, Ohio, Local 24, which has joined the new reform joint council. The 2,100 freight Teamsters in Local 24 recently ousted their old guard officers and elected a reform slate headed by Jake Adams.

The new council has also reduced its per capita from \$1 per month per member down to \$.75, so it is now taking only half as much as Cleveland JC 41, which gets \$1.50 per month per member and spends most of it on attorneys, automobiles, etc. The switch will save the members of Local 24 \$19,000 per year.

JC 1 was chartered by the General Executive Board as a reform unit. It has adopted the Model Bylaws for Joint Councils, which prohibit multiple salaries, allow for rank and file Teamsters to attend delegate meetings of the council, among other reforms.

Hoffa Supporter Busted in Murder-for-Hire.

The attorney who sponsored James (Junior) Hoffa's recent swing through San Antonio was indicted on Jan. 11 on charges of hiring someone to murder his ex-wife and another person. The indictment charges that James Champion paid \$10,000 for the murders and promised \$10,000 more.

Junior Hoffa's appearance in San Antonio in the fall was sponsored by Champion, who falsely presented him as "the general counsel of the Teamsters." We have been unable to determine the financial arrangements for Hoffa's trip.

What's in a Name?

General President Ron Carey is putting forward a motion to change the name of the International Brotherhood of Teamsters at the July IBT Convention.

Carey noted that the name of our union carries a proud history, but leaves out the hundreds of thousands of Teamster who are women.

Members will be invited to submit ideas for a new name through the *Teamster* magazine.

Five Days That Shook the Teamsters

Wondering just what happens at a Teamster Convention? Watch this video of the 1991 convention and see what it's all about.

Highlights include:

- Floor debates on important Teamster issues like the right to vote.
- Nominations of candidates for International office.
- Resolutions on taking our union forward.
- Ron Carey's address to the convention.

Available in two lengths:

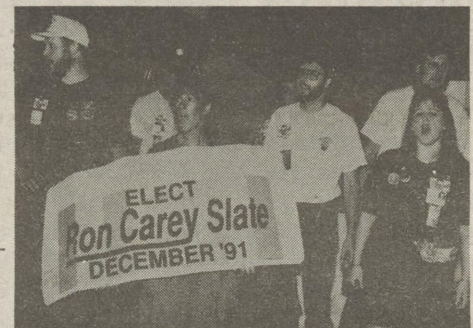
- ☐ 2-hour tape/\$10
- ☐ 15-minute highlights/\$5

Name _____

Address _____

City _____ State _____ Zip _____

Return to: TDU, Box 10128, Detroit, Mich. 48210



Central States

Dinosaur Returns as Pension Trustee

He's retired. He's living off four Teamster pensions. He's a fat cat millionaire who the rank and file rejected in 1991. And now he's been "re-elected" as one of four union trustees for the Central States Pension Fund.

Yes, Jerry Cook is back.

In late January, the nine-member Southern Trustee Appointment Board voted by an eight to one margin to reappoint Cook for another four-year term as the Southern region trustee to the Central States Pension and Health and Welfare Funds. The lone holdout to bringing the fat cat back was Don Scott, president of Atlanta Local 728.

Unlike his peers, Scott exercised his choice to move our union forward with reform and select a trustee who would be accountable to the rank and file — International VP Aaron Belk, from Memphis Local 667. The eight others preferred the status quo — unaccountable trustees who change the rules in the middle of the game and are far

removed from the rank and file.

Who were the not-so-great eight? Coleman Davis, Tulsa, Okla., Local 523; T.C. Stone, Dallas Local 745; Joseph Comeaux, Louisiana Local 969; Billy Patrick, Jr., Arkansas Local 878; Gaylon Meals, Tennessee Local 217; Willie Smith, Mississippi Local 891; Gene Tucker, Mobile, Ala., Local 991; and Cook's good buddy Joe Morgan Jr. from the Georgia-Florida Conference.

Each of these men want to go to Philadelphia in July and take our union backward. They don't want you to vote for delegates let alone pension trustees. And when it comes to pensions, they'll appoint Jerry Cook to oversee our pensions while voting themselves extra pensions by attempting to restore the Affiliates Pension Plan at the Teamsters Convention.

No Kisses For This Cook

Cook retired from union office in June 1994 just before Ron Carey and

the GEB voted to abolish the Area Conferences. But he's kept his foot in the union, serving as a pension trustee and playing puppet-master over his defeated and discredited cronies in Atlanta Local 528.

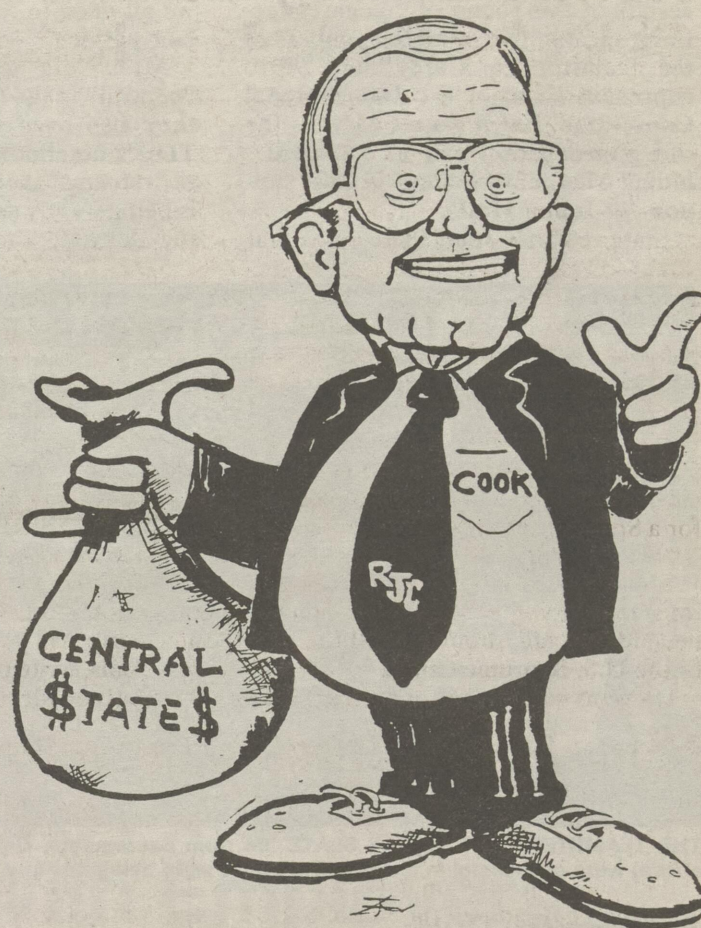
Until 1994, Cook also served as a trustee of the Southern Conference Pension Fund, an extra officers-only plan. In 1994 Cook took a lump-sum payment of \$600,000 from this pension plan. He had already taken \$400,000 earlier, putting him in the Million Dollar Club.

The Trustee Appointment Board was created by the trustees themselves to replace the out-moded system wherein trustees were appointed by the conference policy committee. Each state in the Southern region has one representative to the appointment board selected by the principal officers of each local in that state. The rank and file are left out completely.

The current trustees call this new system democratic. Rank and file Teamsters are calling it the same old song and dance. Over 10,000 Teamster members in the Central and Southern regions have signed petitions calling for pension accountability by having pension trustees directly elected by the members. Reform-minded delegates to the Teamster convention propose

that the elected vice presidents from each region serve their five-year terms as trustees of the major pension and health and welfare funds. There would be no extra elections, no extra compensation, and far more accountability to the rank and file.

Rank and filers can support this plan by voting for reform delegates who support elected pension trustees. If your delegates are silent on the issue, urge them to support this amendment in July. Pension reform and pension accountability are a top issue of concern to rank and file Teamsters. Let's get the job done.



Teamsters Sue Schneider

Double Breasting Jeopardizes Benefits

In 1984, Schneider Transport came to the union and asked for their blessing to expand their double-breasted companies and shrink the union workforce. Now, 12 years later, the IBT is taking Schneider National Inc. to court charging the carrier with illegally jeopardizing health and pension benefits for Teamsters at Wisconsin-based Schneider Transport and Schneider Tank Lines.

The suit alleges that Schneider is destroying Teamster members' benefits by deliberately diverting work to its nonunion operations without any new hiring at its two unionized com-

panies. Ron Carey denounced the company's actions saying, "Schneider's hiring scheme threatens to undermine living standards for Teamster members — and we're going to take the company on."

Not hiring new unionized drivers while the company's overall operations expand violates Central States' rules against what it calls "adverse selection." As a result the pension and health and welfare funds are terminating coverage for active Teamsters and retirees. Central States guards against adverse selection because having fewer active employees in the plan makes it difficult to support current and future retirees as well as the increase in health care costs as the work force ages.

Meanwhile Schneider is building a smokescreen around their attack on Teamster livelihoods by joining four members in a lawsuit against Central States. But the suit sheds light on who the real culprits are in jeopardizing benefits. In their suit, Schneider cites the agreement with the IBT and Jackie Presser in 1984 allowing Schneider to build its double-breasted operations while shrinking its union companies.

Since 1984, Schneider's double-breasted operations have grown by close to 10,000 workers while the unionized workforce has shrunk from 1,500 to some 350 drivers today. The company wanted to go nonunion, Presser went along with it, Central States now (years later) cuts off members' benefits rather than fight the company.

For now, a federal judge has ordered Central States to continue coverage until the legal dispute is resolved. No matter what the outcome, Schneider Teamsters deserve continued coverage.

Teamsters Grew in 1995

Reversal of 16 Years of Decline

For the first time in 16 years, the Teamsters union grew in 1995. The increase of 4,000 members, for an average membership of 1,437,000 for the year, was slight, but marked a clear reversal from a trend of decline.

The union lost 400,000 members from 1979 to 1991, under old guard leadership at the IBT with no organizing plans except shiny suits and Cadillacs. In 1991 the union lost 40,000, and 40,000 again in 1992.

In 1993 membership loss was cut to 22,000 and then 17,000 in 1994. Now the corner has been turned, as new organizing programs and moves to clean out corruption are taking hold.

We have a long way to go, but it's nice to get into the plus column.



Members Meet Candidates in Modesto

The San Joaquin Valley Teamsters for the Ron Carey Slate hosted a "meet the candidates" event on Feb. 17 in Modesto, Calif. Some 75 Teamsters heard from Vice President at Large candidates Jim Benson and John Riojas; Western Region VP candidates Tom Leedham, Ken Mee and Ed Mireles and International trustee Sergio Lopez.

After the individual presentations, members and candidates broke into groups to discuss future plans to get cannery Teamsters more involved in the union and in the campaign.

Reform Delegates Win

The 6,000 members of Sacramento, Calif., Local 150, in one of the very first results of this round of delegate elections, elected five of eight members of the Teamsters for Carey Slate '96 to represent them at the International Convention. But it wasn't easy, as the old guard group ran as "neutral," hiding what many believe is their support for Junior Hoffa.

Slate member John Platt notes that

"We consider this a victory. We've worked hard to reform our union, and we all need to see it through at the convention."

Many old guard slates ran as "neutral" in the Carey-Hoffa race, and they also tried to steal a page from TDU's notebook by listing a platform of "reforms" they will back. This tactic is being widely used by the old guard in the delegate races. Could it be that

hiding your support for the Junior Slate is a way of "fooling some of the Teamsters all the time?"

Early Results

As we go to press in late February, early results are in from several delegate races. Carey Slate members Lon Fields of Local 89 and Jack Cox of Local 572 swept their elections, winning 28 delegates in support of Carey's reform team.

In North Carolina Local 71, a Carey slate swept four delegates in a rerun election ordered by the Election Officer. The rerun came after the discovery that the CF terminal manager held the winning ticket (and had made a substantial contribution) to a '57 Chevy in a raffle held by the opposition.

Meanwhile, two candidates on the Junior Slate outspent two groups of first-time rank and filers to win small victories. In Seattle Local 763, Hoffa running mate Jon Rabine defeated first-time rank and filers who pulled 38 percent of the vote. In Fort Wayne, Ind., Local 414, Hoffa running mate Walt Lytle used a barrage of five mailings to every member to defeat rank and filers. It is estimated that Lytle

spent over \$10 for each vote he received, and thus Walt wins the Teamster award for Most Expensive Votes in a Delegate Race. (The Teamster equivalent of Steve Forbes?)

In our next issue we will report on a large number of delegate races.



THE TEAMSTERS FOR CAREY SLATE '96 from Sacramento, Calif., Local 150 (pictured above) were successful in electing five out of eight delegates and two of three alternates.

A Teamster Quiz:

The State of our Union

A lot of claims and counterclaims are flying around concerning the state of the Teamsters. Test your knowledge of the state of our union and learn the factual answers to some important questions. Answers at right.

1. How many members did the IBT lose between its peak membership in 1974 and the election of Ron Carey as General President?

- a. 100,000
- b. 500,000
- c. 800,000

2. In the 1980s, Teamster membership declined at an annual rate of 40,000 members per year. Since Ron Carey took office, membership decline has been at an average annual rate of _____ members per year.

- a. 20,000
- b. 40,000
- c. 80,000

3. In 1995, IBT membership:

- a. increased by 4,000.
- b. decreased by 20,000.
- c. remained the same.

4. The monthly per capita payment paid by local unions to the International has been frozen at \$3.90 per member for:

- a. 3 years.
- b. 7 years.
- c. 13 years.

5. After accounting for inflation and a drop in membership of 400,000 since 1983, the value of the per capita payment has declined _____ percent over those years.

- a. 9%
- b. 26%
- c. 43%

6. Delegates backing Hoffa and/or opposing the Ron Carey slate propose a \$2 per member reduction in the per capita payment to \$1.90 per month. This would result in cut-backs of _____ percent in funding of education, organizing, and political action programs by the IBT.

- a. 25%
- b. 50%
- c. 75%

7. The year before Ron Carey took office IBT payroll expenses totalled \$21 million. Taking inflation into account, by the end of 1994 IBT payroll expenses had:

- a. increased by 50%.
- b. increased by 6.5%.
- c. decreased by 6.5%.

8. The 1991 IBT Convention raised strike benefits to \$200 per week. Carey delegates made up _____ percent of the 1,900 convention delegates.

- a. 5%
- b. 15%
- c. 50%

9. Since 1991, the IBT has spent _____ on strike benefits with no increase in funding.

- a. \$5 million
- b. \$10 million
- c. over \$100 million

10. In 1995, IBT spending was within dues income for the first time in _____ years.

- a. 5 years
- b. 8 years
- c. 12 years

11. In 1989, old guard officials signed a Consent Decree to keep themselves out of jail which required

the IBT to pay _____ for court supervision of our union.

- a. \$5 million
- b. \$10 million
- c. \$50 million

12. There are approximately _____ women members in the Teamsters union.

- a. 50,000
- b. 150,000
- c. 300,000

13. The abolition of the Area Conferences and the freezing of the Affiliates Pension Plan combined, save _____ per year for the union.

- a. \$5 million
- b. \$12 million
- c. \$26 million

14. When Ron Carey abolished the wasteful Area Conferences what did he do with the \$11 million in annual savings?

- a. Gave it to Teamster officials.
- b. Sent it to the IBT in Washington, D.C.
- c. Returned it to local union treasuries.

15. Before Carey took office, old guard officials used two Teamster-owned Lear jets for travel on "business trips." How much did this cost the union per year?

- a. \$300,000
- b. \$1 million
- c. \$1.9 million

16. When Ron Carey proposed a dues increase to provide adequate resources for our strike fund and maintain a strong International, he:

- a. Acted like a dictator and imposed it.
- b. Called a special convention of old guard delegates.
- c. Put it to a vote of the membership.

Rate Your Score

- 1. c. The IBT reached its peak of 2.2 million members in 1974.
- 2. a. Ron Carey has reduced the rate of membership decline by half.
- 3. a. In 1995, IBT membership increased by 4,000 members.
- 4. c. The IBT has operated with no increase in annual dues income since 1983 (presently, a \$1 automatic assessment from local unions is in effect).
- 5. c. The value of annual dues income has declined by nearly half since 1983.
- 6. c. Cutting per capita income by 50 percent will result in a much larger reduction in organizing and other programs, because many expenses are fixed and cannot be reduced, such as the cost of property taxes, building maintenance, dues processing, etc.
- 7. c. Since Ron Carey took office, average salaries for new officers and staff are 14 percent lower than those they replaced.
- 8. b. The Ron Carey slate was nominated by 289 delegates at the 1991 IBT Convention.
- 9. c. This includes \$30 million paid out on the freight strike.
- 10. c. The IBT lived within its means for the first time since 1983.
- 11. c. Yes, \$50 million.
- 12. c. Women comprise almost 25 percent of Teamster members.
- 13. c. The Affiliates Pension Plan provided an extra pension benefit for officials only. The area conferences were a wasteful layer of bureaucracy that provided extra salaries and perks.
- 14. c. Did your local officials tell you that?
- 15. c. A 1991 report by court-appointed administrator Judge Lacey shows that previous administrations used the jets to visit home for weekend golf outings, etc.
- 16. c. The members turned down the proposed increase by a three to one margin. Ron Carey took that as a mandate to make additional cuts in spending, like the area conferences and the Affiliates Pension Plan.

- 13-16 correct— You ought to be on the GEB
- 9-12 correct— You must be a TDU member.
- 5-8 correct— Get the facts, join TDU.
- 0-4 correct— You're Hoffa's kind of Teamster.

Answers

Tusino Guilty Again

Local 170 Forced to Pay \$19,000 for Discrimination

In the construction industry the union's hiring hall is a vital resource in getting jobs. Work is seasonal, the hours long, and breaks in service are a way of life. But imagine you're a Teamster trying to get work in construction and the local's hiring hall has no rules, no procedures, no written records, and plain discrimination.

That was the case in Worcester, Mass., Local 170, where secretary-treasurer Ernie Tusino operated a hiring hall where one's ability to get work was tied to one's ability to get on somebody's good side, often by pledging their political allegiance to Tusino and other business agents. The National Labor Relations Board (NLRB) has tabbed Tusino and Local 170 for these illegal and arbitrary practices and has forced them to pay \$19,000 in back

wages and interest to Teamster member Richard Welk.

Welk was denied construction work in retaliation for his filing charges against the local with the NLRB. In an affidavit to the NLRB, Tusino admitted as much when he said he didn't call Welk "because of the pending charge at the National Labor Relations Board. I'm not going to call him until this is over."

The NLRB's investigation revealed that Local 170 had no established policy for referring members for jobs in the construction industry. In fact, Tusino and BA George Valeri testified that they used a member's political support of their union election campaign as a litmus test for making job referrals. Both men also admitted to referring relatives for jobs.

Ultimately, Tusino and Valeri's actions have cost the local nearly \$20,000. As part of the remedy the local must now establish written rules and procedures for job referral in the construction industry using objective criteria and considerations.

This marks the second incidence of wrongdoing by Tusino in the past year. In November 1995, Tusino was ordered by a secret ballot vote of the membership to return \$6,000 in extra salary he improperly received for attending

local union executive board meetings. The Ethical Practices Committee's investigation of Ernie's construction follies will conclude shortly.

Seniority and job referral issues in the construction and movie industries, among others, is an area that has long deserved a closer look in our union. While some locals work effectively within established guidelines, we've seen too many charges of nepotism and favoritism in our union to leave these issues untouched.

Chicago Local 743

No Loyalty Oaths Needed Here

Imagine you're the head of a 20,000-member local union in a major metropolis. Your membership is generally uninvolved in the union, your annual salary is comfortably in the \$100,000 Club and you've built strong ties to all of the established elites in city politics, the union, and the Mob. You can ride this train for 30 years if you play your cards right. But there's one thorny problem—how do you insure you're never challenged for your job by an ambitious business agent who wants to move up in the world?

Threaten and intimidate agents into submission? Seems to work in Dallas. Keep them well lubed and part of the machine? Works well in Detroit. How about loyalty oaths?

In Chicago Local 743 Don Peters and later Robert Simpson simply took away the union cards of all business agents, assistant business agents, and organizers in the local! A requirement of taking a job in the local was giving up membership in the IBT and it auto-

matically made them ineligible to run for union office! Now, that's called eliminating your opposition.

For the old guard, the democratic process goes out the window when it comes to their piggy bank. When they need a second-rate lawyer with no Teamster experience to run for union office they give him a no-show job in the joint council so he'll qualify. When they don't want long-time Teamsters to run for office they take away your union card. And in the past, if you were a rank and filer who ran and won they overturned your election and had their friends rubber stamp it for them.

Trustee Eddie Kornegay, appointed to clean up Local 743, uncovered the practice in Local 743 shortly after the imposition of trusteeship in 1994. The General Executive Board has passed a waiver allowing officers and agents who were forced to give up their membership prior to November 1994 to run for convention delegate and for local union office later this year.

Connecticut Local 677

Cadillacs and Waste-Masters

In September 1995 the Independent Review Board (IRB) reported on charges against six of the seven officers of Waterbury, Conn., Local 677 for breaching their fiduciary duty and violating the local's bylaws by improperly awarding a union-owned Cadillac as a gift to retiring union officer Perley Rossignol. The IRB accepted a deal with the officers in which Rossignol paid \$17,500 of the cost for the car and the charged officers paid the remainder on the \$21,500 cash value of the car to the local union.

However, that settlement was found inadequate by Judge Edelstein and was referred to Joint Council 64 for further hearings and possible additional charges. Subsequently, Ron Carey also put JC 64 in trusteeship for its own mishan-

dling of members' dues money.

Between the IRB charges, the wrath of the membership, and the joint council trusteeship the officers of the local figured a little damage control was needed. They decided a dose of reform in their choice of cars was in order. They would trade in the Caddies for economy.

The car of choice? A Buick Roadmaster, yet another luxury car. As the 677 reformers' newsletter put it, "Dumping the Cadillacs was supposed to be a giant step forward. Instead, the officers have done nothing more than taken a giant step sideways with the 'Wastemasters.'"

Is this an indication of the kinds of "reforms" Junior Hoffa and his pals would bring to our union?

Movie Premier

Diana Kilmury, Teamster

On Sunday evening, March 17, the Canadian Broadcasting Company (CBC) Movie of the Week will be **Diana Kilmury: Teamster**. The just-released movie is based on the life story of International Vice President and TDU co-chair Diana Kilmury, who has spent nearly 20 years working for democracy in her union.

Canadian Teamsters and US

Teamsters who live in areas with CBC broadcasting should be sure to watch. How many movies have you seen lately about real-life heroes of the labor movement?

Information on obtaining copies of the video and possible U.S. network broadcast of this important new movie will be made available as soon as possible.

Mogelson Finds 'New' Home With Employers

Mike Turnure
Local 320, University of Minn.
Minneapolis

Former Minnesota Teamster official Jack Mogelson has found a new home. He recently landed a position with the Employers Association, a management alliance that negotiates across the table from labor unions.

Mogelson resigned from all his Teamster posts in May 1995 after an Internal Review Board investigation found unauthorized expenditures and embezzlement of members' dues money to benefit Mogelson and three other officers of Minneapolis Teamsters Local 320. The local was placed under trusteeship by General President Ron Carey to clean up the local and get its finances in order.

The Employers Association is the descendant of the Minneapolis Citizens Alliance, whose "deputized"

thugs battled striking Teamsters in the bloody 1934 Minneapolis truckers strike.

"He was working for the employers before, but unfortunately he was on our payroll," said Erik Jensen, a Local 320 member and candidate on a rank and file slate to lead the local union once the trusteeship is lifted. "Jack has finally found his home."

"He wasn't a Teamster at heart," said Jean Birch, a local member running for Mogelson's former position as recording-secretary. "I can't say I'm shocked. It helps explain the things he did to the members," continued Birch. "No working Teamster could ever do something like that."

Mogelson was also the president of Minnesota DRIVE and Central Conference DRIVE director before the area conferences were abolished by Carey and the GEB in 1994.

Satin-Style TDU Baseball Jackets

These deluxe jackets are sharp! They are black with the Teamster horsehead logo embroidered on the front and the TDU logo on the back, both in full color. Available with quilted lining for cold weather or brushed nylon lining for general wear. Sizes L, XL and XXL (other sizes by special order, allow four weeks).

Prices

- ☐ Quilted: \$100
- ☐ Nylon: \$85

Send check, money order or VISA/Mastercard information, along with complete address, to:

TDU
Box 10128, Detroit, Mich. 48210



Let's Review the Issues

Freight Strike Not Worth the Fight?

Dennis Huss
Local 916, ABF
Springfield, Ill.

I work on the ABF freight dock at Springfield, Ill. I am a strong believer in the reform movement of our great union. All too many times I hear the words of Junior Hoffa repeated by his supporters: "We never should have gone on strike over those issues."

Reading, Pa.

Local 429 Officials Arrested for Trespassing

Three officers and a union steward of Teamsters Local 429, headquartered in Reading, Pa., were arrested on Feb. 13 as they were meeting with their members at Clements Waste Services.

President Ron Kistler, vice president Don Riccio, business agent Elton "Butch" Sherman, and steward Keith Noll were arrested at approximately 4:00 a.m. at Clements Waste facility while meeting with 15 of the 28 bargaining unit members of Local 429. It is rumored that Clements is pushing a decertification move at the facility in order to make it a more appealing package to be sold to a larger corporation.

The officers had been meeting with a group of members for half an hour. At that time, an individual representing Clements said that he had received a phone call from Brian Clements, company president, who said that if the Teamster officers did not leave voluntarily he would have them removed from the property. When they refused to leave, the company called the Leesport police. When the Chief of Police arrived (for a trespassing call at 4 a.m.), he indicated that he did not

This sounds more to me like the type of thinking Jackie Presser used when we first inherited the three-tier hire rate. Let's examine what those issues were in the last freight contract:

- On March 31, TMI made a "final offer": part-timers would be used at \$9 per hour/three-hour guarantee. 24 percent of all dock and local cartage work would be part time by

care what the reason for their presence was; he wanted them off the property immediately. Kistler and the other officials again refused to leave, at which time they were arrested and charged with the misdemeanor of trespassing.

"I am appalled by the conduct of the Clements officials in interfering with the democratic processes guaranteed to the members of Teamsters Local 429," said Kistler. "We represent 28 Teamsters at the facility. They have an absolute right to be informed about matters affecting collective bargaining and union affairs."

"We'll be back," Kistler said. "Our members have a right to meet with us. We were not using company time. We will continue to fight for the democratic rights of all of our members."

Giant Rat Greets Company President

Indeed, when Brian Clements entered the worksite a week later on Feb. 19 he was greeted at the gate by about 35 Local 429 members along with the Joint Council 53 16-foot high inflatable rat that International VP Johnny Morris had loaned the local. Reportedly Clements was not amused.

1995. There would be no incentive to turn these into full-time jobs.

- The companies also wanted a change of operations that would allow them to interline with nonunion carriers and owner-operators. If that was not bad enough, TMI wanted to add Substitute Service to move overflow freight with nonunion carriers and owner-operators.
- On the subject of Intermodal, 35 percent of total freight would be on rail with inadequate protection for road drivers. How could we ever keep track of the work going in that many directions?
- New-hire rates would be 70 percent of old contract rate. We never would have seen any new hires because our work would not be done by us.
- To add insult to injury, the companies wanted a two-tier benefit and pension plan. Contributions made on behalf of the part-timers would go to a separate company-controlled plan. Between the lack of funds paid

on their behalf and the contributions lost because of outsiders doing our work, we would have no hope of ever keeping the benefits we have now. If we had accepted this final offer, many of us would not be in this industry today.

Let's face it, TMI didn't spend millions of dollars fighting us for the fun of it. And while our strike didn't win everything, it did defeat these company demands to gut our contract.

We did gain other important protection — Innocent Till Proven Guilty language that protects us from the loss of pay in the event we are suspended or discharged unjustly, except for cardinal sins. And if drug and alcohol tests come back negative we get full back pay for the time off.

If these issues are not worth fighting for, then tomorrow does not matter. It is up to us to preserve the great benefits we enjoy today, and pass them on to future Teamsters as they were passed on to us.

TDU Steering Committee Sets Goals

The TDU International Steering Committee (ISC) met in Detroit in January and voted to back a progressive package of reforms for the upcoming IBT Convention. The package includes:

- Support the Carey Team and work to prevent the old guard from turning back the clock.
- Protect the rights we've won, including:
The Right to Vote for IBT officers
The Right to Elect Delegates
The powers of the International to combat corruption through trusteeships and to promote democracy through mail ballots, membership referenda, etc.
Abolition of the Area Conference multiple salaries and multiple pensions.
- Win new democratic rights, including:

Pension trustee accountability, through democratic control over trustees

The right of each local union to determine whether to have elected or appointed business agents

End multiple and outrageous salaries, pensions and perks for any officials.

- Establish a sound basis for a Strike Fund and the International union, including funding for a \$200 strike benefit.

The TDU Steering Committee also discussed the delegate elections and the upcoming IBT Convention, and urged all interested Teamsters to attend the IBT Convention.

In addition, the Steering Committee reviewed TDU's recruitment, with an eye to building the organization's strength. This topic will also be on the agenda for the April meeting, as will more detailed plans for the IBT Convention.

The TDU Steering Committee consists of 18 Teamster activists and leaders who were elected at the October 1995 TDU Convention. The next TDU Convention will be Oct. 11-13 in St. Louis.

Right to Meaningful Contract Vote

NY Coca Cola Teamsters Win Lawsuit over Vote

A jury in New York deliberated less than an hour in February before finding that New York Local 812, headed by Anthony Rumore, cheated 650 Teamsters out of a meaningful vote on their contract with Coca Cola.

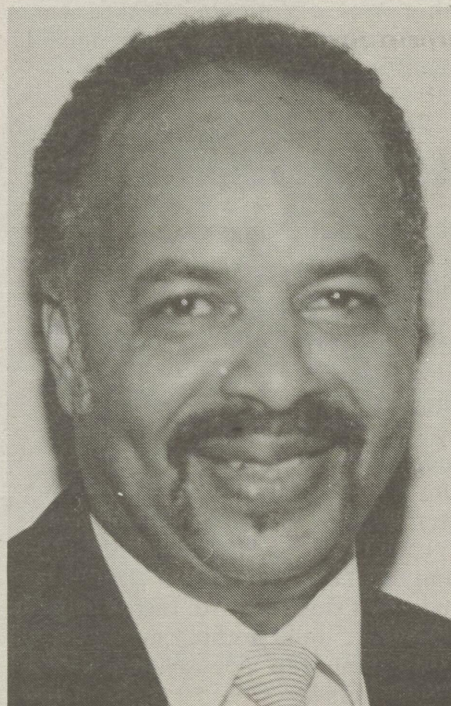
The court directed Local 812 to change how contract votes are conducted in the future by working out a procedure with the Teamster plaintiffs, although it was too late to overturn the contract that was improperly ratified.

Some 18 courageous Teamsters testified in the trial, proving that union officials distorted the terms of the proposed contract, called a "quickie" vote, and did not provide meaningful materials to allow for a democratic vote. Rumore had also told the members he was setting up a rival union, the "Independent Beverage Union," in case Coca Cola moved operations.

The Teamster members persisted to protect the rights of all despite years of threats and false information spread about the lawsuit and about Teamster reformers. The message here is that progress is made when members persevere for the sake of principle, when there was not any money involved.

Anthony Rumore, who also heads Joint Council 16, inherited Local 812 from his father, Louis Rumore, who was forced from office in 1990 on the charge of being a made member of the Gambino crime family.

Teamster members have the right to vote by secret ballot on contracts and changes in contracts. TDUs have consistently worked to make sure that all members have a *fair and meaningful* right to vote. The bottom line: Teamsters getting a voice in their own destiny.



Willie Smith, Yellow Freight road driver and member of Local 413, is a newly elected member of the TDU Steering Committee.

SAVE THE DATE!

1996 TDU Rank & File Convention

October 11-13
Henry VIII Hotel
St. Louis

LETTERS FROM OUR MEMBERS

Reform, NOT Reverse

All over the country delegate elections for the 1996 IBT Convention are taking place. These delegates will decide the future direction of the IBT as well as who will be candidates for International office.

In many elections members must choose between reformers and born-again reformers. The reformers are members who have been fighting years for changes. They have been standing at the gates handing out contract bulletins. They have been proposing bylaw amendments to give the members a bigger voice in how their local union is run. It was the

reformers who took to the streets in 1990 educating members about a new right they would have — the right to elect delegates to the IBT Convention. The true reformers kept striving to convince more members to take an active role in **their** union.

Local union officers made up the vast majority of convention delegates prior to 1991. In 1991, the federal government forced our union to hold elections for delegates and IBT officers. Soon, many local officers became the born-again reformers. When they wanted your vote for convention delegate they claimed they would support the same changes pushed by the true reformers. However, as voting delegates at the 1991 IBT Convention they changed their

minds — they voted against many amendments aimed at involving and empowering the rank and file.

These born-again reformers are using the same line they used in 1991. They say, "We can't commit to any candidate for IBT office until we hear what candidates have to say." The born-again reformers claim they are for democracy, but our former system of picking delegates and IBT officers was defended as democratic by these same people at the 1991 convention.

It may be more important to find out what they are **not** telling you. Do they support a strike benefit funded by slashing International union programs in organizing, education, and political action in half? Do they want to bring back the area conferences and multiple salaries and pensions? Do they refuse to allow locals to decide if they want elected business agents? Do they want to end the attack on corruption in our union by disbanding the ethical practices committee? Are they for reducing the power of the General President to deal with corruption?

Before you vote, check the records, for a born-again reformer could be hazardous to your rights. Support delegate candidates who are pledged to a proven reformer, Ron Carey. In the past four years he has moved our union forward. Let's support Carey and finish the job.

Steve Baudo
Local 344, UPS
Milwaukee

Organize in Freight

The Teamsters union was founded on the efforts of freight workers. Every Teamster enjoying the benefits of membership in this union should be able to appreciate the contribution of freight workers.

If we don't organize nonunion trucking companies (especially Overnight) the Teamsters can expect to be a union without members in the trucking industry ... by the next contract.

Leo Solar
Local 390, Yellow Freight
Miami

Satisfied with Carey

I think Ron Carey is doing a great job. I have no doubt he will be re-elected. What I hear from the freight Teamsters I talk to when traveling in my RV is that most are very satisfied with him.

Richard Charleston
Local 431, ABF, retired
Salem, Ore.

Democratic Unions Will Survive

No organization is worth spit unless they are truly free. Keep up the good work of supporting democracy.

Members in the past were fearful of using their First Amendment rights. Now they insist that they be heard. Bravo! I am now retired, but

was the first member of Local 886 to stand up at a business meeting and proudly proclaim, "I am a member of TDU."

Please keep going forward. Honest, democratic unions can and will survive.

A.W. Joslin
Local 886, Roadway, retired
Oklahoma City

Officers Have Responsibility to Members

Our elected officers have a responsibility to the membership, and we should see that they honor these responsibilities, rather than praising themselves for doing nothing. We should never again put old guard officials back in power.

Our locals should not make contributions to political candidates who oppose labor unions and working class people.

Edward Jones
Local 743
Rush Presbyterian Hospital
Chicago

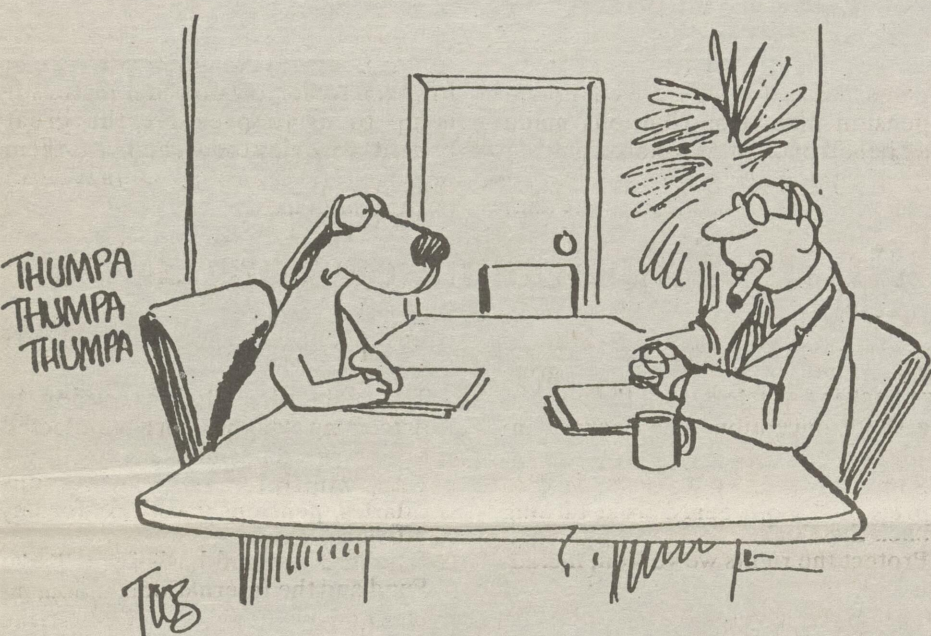
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As a negotiator, he had ice in his veins,
but his tail betrayed him.

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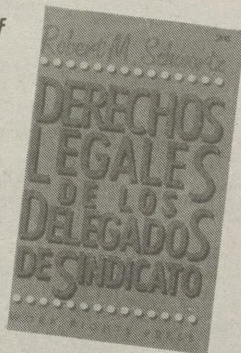
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TDU Meets

ATLANTA
Second Saturday each month
John C. Birdine Community Center
215 Lakewood Way S.E.

ARIZONA
Saturday, March 23
1 p.m.
Location to be announced.

EASTERN MASS./R.I.
Saturday, March 16
10 a.m.
Mansfield VFW Hall
88 Chilson Ave
Rte 106 to Mansfield Center
Call (508) 697-3431 for information.

EAST BAY, CALIF.
Saturday, March 16
10 a.m.
Call (510) 653-3865 for information.

SAN JOAQUIN VALLEY
Saturday, March 9
10 a.m.
Manteca
Call (209) 464-4733 for information.

Teamster Convention, July 15 to 19

Come to Philadelphia!

The International Teamster Convention will be a major event in the history of our union, as the future confronts the past. If you are a concerned Teamster, you should make every effort to be part of it.

All Teamster members, retirees and their spouses are allowed to attend the convention as observers. Those who have attended in the past will assure you that you will not regret it!

Information on accommodations in Philadelphia and on how to acquire your guest pass to the convention will be available from the International soon.

Make your plans now!



Ron Carey addressing the 1991 IBT Convention in Orlando, Fla.

JOIN TDU

TDU has been the voice of reform at Teamster Conventions for 20 years. We've stood up for ethical practices, the Right to Vote, majority rule on contracts, and for a strong, democratic Teamsters union. TDU delegates, along with other supporters, will be there again this year.

Join with those who stand up for the best principles of Teamster unionism. Join TDU today.

TDU MEMBERSHIP APPLICATION

Name _____ Local # _____

Address _____

City _____ State _____ Zip _____

Phone (____) _____ Company _____

☐ City ☐ Road ☐ Dock ☐ Clerical ☐ Warehouse ☐ Construction ☐ Production

☐ Other _____ Optional: Spouse's name _____

☐ \$35 one-year's membership & subscription to *Convoy Dispatch*.

☐ \$85 three-year membership fee. (\$10 shall be rebated to the local chapter.)

☐ \$20 for spouses, retirees and Teamsters who gross less than \$17,000 a year.

☐ Check or money order

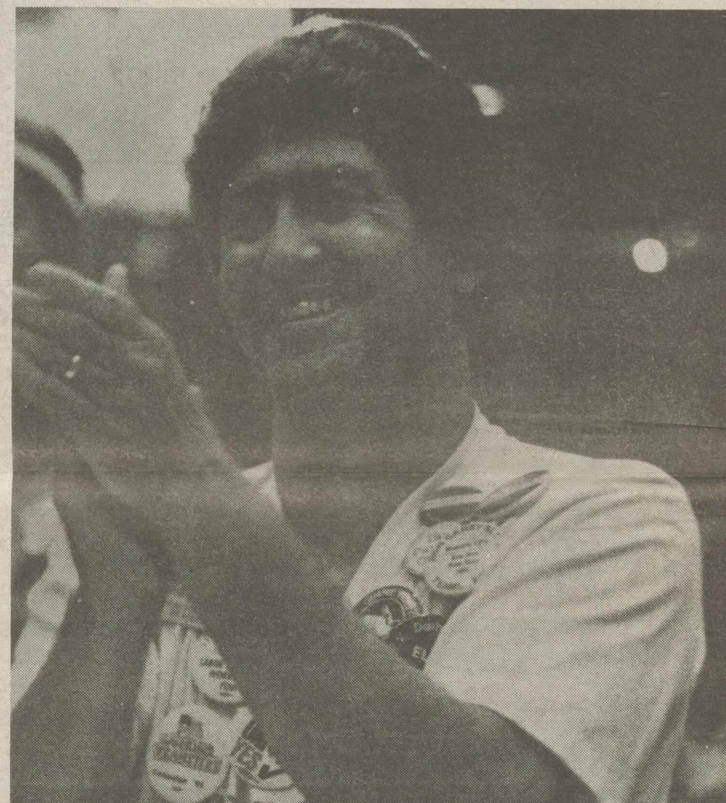
☐ Mastercard/Visa # _____ Exp. date ____/____/____

Date _____ Signature _____

Return to: TDU, P.O. Box 10128, Detroit, Mich. 48210

TDU membership is kept confidential from employers.

TDU solicits and accepts membership applications and donations only from Teamsters, retired Teamsters and spouses who are not employers.



I'm not running for delegate, but I will be in Philadelphia with Teamsters from coast to coast. This is our chance to finish what we started in 1991. You should be there, too.

Gordy Teller
Local 741, Seattle

International Teamster Convention

**July 15 to 19
Philadelphia
Convention
Center**

